

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>May 28, 2008</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2006-37-C</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		

SUBJECT:

DOCKET NO. 2006-37-C - Petition of the Office of Regulatory Staff for a Rule-Making Proceeding to Examine the Requirements and Standards to Be Used by the Commission When Evaluating Applications for Eligible Telecommunications Carrier (ETC) Status and When Making Annual Certification of ETC Compliance to the Federal Communications Commission – Discuss this Matter with the Commission.

COMMISSION ACTION:

Move that the written report that is required under Section 1-23-111 of the South Carolina Code be issued with regard to the creation of the regulation on annual certification requirements for eligible telecommunications carriers or ETCs. I further move that the report find that there is a need for certain changes to the proposed regulation as proposed at the April 1, 2008 hearing by the parties, and further changes as proposed through record correspondence submitted by the parties, and that the changes are reasonable. Specifically, Mr. Chairman, I move that we modify the filing deadlines for ETCs designated after January 1, 2007 found in Regulation 103-690.1 (B) (a) from August 1, 2008 and thereafter annually by August 1st of each year to June 30, 2008 and thereafter annually by June 30th of each year. Further, I move that we eliminate the sentence in that same section that begins "In addition, ETCs not regulated by the Commission must report..." This sentence contains, among other things, duplicative information. In addition, I move that Paragraph C of the Regulation be replaced in its entirety with the following language: " To the extent required by 47 U.S.C Section 54.313 and 47 U.S.C. Section 54.314, ETCs who were designated prior to January 1, 2007, must certify to the Commission that all federal high-cost support provided to such carriers within South Carolina in the succeeding calendar year will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. This certification must be filed with the Commission on or before August 1st annually." Mr. Chairman, this change is consistent with comments made during the hearing and through correspondence by AT&T and the South Carolina Telephone Coalition. Finally, Mr. Chairman, I move that we change the word "advertise" found in Section (E) (a) (1) and (E) (b) (1) to the word "publicize," which is consistent with the Federal regulations on this issue. Accordingly, Mr. Chairman, I move that we promulgate the proposed regulation, with amendments as stated above, and that is my motion.

PRESIDING Hamilton

Session: Regular

MOTION	YES	NO	OTHER
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Time of Session 2:30 PM

CLYBURN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

APPROVED _____
 APPROVED STC 30 DAYS _____
 ACCEPTED FOR FILING _____
 DENIED _____
 AMENDED _____
 TRANSFERRED _____
 SUSPENDED _____
 CANCELED _____
 SET FOR HEARING _____
 ADVISED _____
 CARRIED OVER _____
 RECORDED BY Schmieding